

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OHIO**

In re: SAMENUK, PAUL DAVID
SAMENUK, ELIZABETH ANNE

Case No. 24-30246

Judge John P. Gustafson

Debtor(s)

**MOTION OBJECTING TO EXEMPTIONS PURSUANT TO
BANKRUPTCY RULE 4003(b)**

Now comes the Trustee and objects to the exemptions claimed on Schedule "C" pursuant to O. R. C. 2329.66(a)(13), (a)(10)(b) and a(4)(b) and requests the Court schedule a hearing on the same.

/s/ Ericka S. Parker
Ericka S. Parker, Trustee

MEMORANDUM

Bankruptcy Rule 4003(b) provides as follows:

"The trustee or any creditor may file objections to the list of property claimed as exempt within 30 days after the conclusion of the meeting of creditors held pursuant to Rule 2003(a) or the filing of any amendment to the list unless, within such period, further time is granted by the court. Copies of the objections shall be delivered or mailed to the trustee and to the person filing the list and the attorney for such person."

The Debtor wife is claiming an exemption in the amount of \$45,000 in a severance agreement entered into before the bankruptcy and paid after. Further, the Debtor is claiming an exemption for \$10,000.00 pursuant to ORC 2329.66(a)(10)(b) which asset is not sufficiently identified and no documents have been provided to the Trustee to support what this asset is and whether it is properly claimed. Finally the debtor is claiming jewelry exempt in the amount of \$3650 when its limited to \$1875 and the jewelry has been recently claimed as stolen and a police report has been filed. Therefore, the Trustee believes there should be homeowners insurance available for the loss of these estate assets and the exemption should be limited.

Therefore, the Trustee believes these exemptions under O.R.C.2329.66 (a)(13) and (a)(10)(b) should be disallowed in their entirety and and O.R.C.2329.66 (a)(4)(b) should be limited to \$1875.

Respectfully submitted,

/s/ Ericka S. Parker

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CERTIFICATE OF SERVICE
AND NOTICE PURSUANT TO LOCAL RULE 9013-1(a)

Please take note that the Respondent has fourteen days from service of this motion to file and serve a response or a request for a hearing, and that if a response or request is not timely filed with the court and served on the Movant c/o Ericka S. Parker, Law Offices of Ericka S. Parker LLC, P.O. Box 262, Curtice, OH 43412, the Court may grant the relief requested without hearing.

I certify that on 4/19/2024, a true and correct copy of the Objection to Exemption was served:

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

PATTI BAUMGARTNER-NOVAK, on behalf of SAMENUK, PAUL DAVID and SAMENUK, ELIZABETH ANNE, debtor(s) at PMBN@Buckeye-Express.com
Office of the US Trustee at (Registered address) at usdoj.gov

And by regular U.S. mail, postage prepaid on:

SAMENUK, PAUL DAVID and SAMENUK, ELIZABETH ANNE, Debtor(s) at 312 W WAYNE ST, MAUMEE, OH 43537

/s/Ericka S. Parker

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